

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF WATER QUALITY
PO BOX 425
TRENTON, NEW JERSEY 08625

APPLICATION FOR EXEMPTION FROM A SEWER CONNECTION BAN

DIRECTIONS

1. The regulations which pertain to obtaining an exemption from the sewer connection ban are contained in the "Sewer Connection Ban Regulations", a copy of which is attached. It is necessary that applicants review these regulations, particularly N.J.A.C. 7:14A-22.22, to determine the specific ban exemption criteria applicable to their particular project. Compliance with any one of the ban exemption criteria is adequate to qualify for a ban exemption approval. However, if it is believed that more than one criteria is met, Part III of the application should reflect this and all relevant information should be provided. After the applicable criteria has been identified, the applicant must complete the remaining sections of the application (Parts I through IV).
2. Answer the questions carefully and as completely as possible. Incomplete answers will result in delays in processing the application.
3. Submit the completed application to the sewerage authority and/or municipality that imposed the sewer connection ban for their action. If approved, the sewerage authority and/or municipality, in turn, shall complete Part 1.B (consent) of the application and forward the completed application to the Department of Environmental Protection (Department) for concurrence.
4. Do not submit an application for a Treatment Works Approval (TWA) with the ban exemption application. The applicant must first obtain a ban exemption approval from the authority and/or municipality and the Department. Subsequent to said approval, the applicant will be advised as to whether or not a TWA is required for their particular project.

APPLICATION FOR EXEMPTION FROM A SEWER CONNECTION BAN

PART I - CERTIFICATION AND CONSENT**A. CERTIFICATION BY APPLICANT**

I certify that I am the owner of the property identified in the application and that I have read the ban exemption criteria and procedures contained in N.J.A.C. 7:14A-22.22 et seq. I believe that I qualify for exemption under N.J.A.C. 7:14A-22.22(a) _____ (specify criteria number(s)), and that I meet the affected sewerage authority's requirements if the affected sewerage authority has adopted more stringent criteria. In addition, I certify that the information submitted with this application is true and accurate, and documents compliance with the above noted criteria.

Signature

Typed Name

Date**B. CONSENT BY AFFECTED SEWERAGE AUTHORITY/MUNICIPALITY**

NOTE: If the applicant fails to meet the ban exemption criteria, the affected sewerage authority/municipality shall deny the application for exemption. Such action shall be final and the application should not be forwarded to the Department for review.

Based on the information submitted with this application, the applicant qualifies for exemption under N.J.A.C. 7:14A-22. 22 (a) _____ (specify criteria number (s)), and meets the authority/municipality's requirements if the authority has adopted more stringent criteria. The authority/municipality hereby consents to this application which shall be forwarded to the Department for final approval or denial. The attached explanation details the authority's action of this application (check box if attached ☐).

Name of Affected Sewerage Authority/Municipality

Signature

Typed Name and Title

Date

PART II - GENERAL INFORMATION

1. Full name of applicant: _____
Mailing address: _____
Daytime phone number: _____
2. Contact person or agent: _____
Mailing address: _____
Daytime phone number: _____
3. Property for which the exemption is being sought:
Street: _____
Block(s): _____ Lot(s): _____
Municipality: _____ County: _____
4. From whom, how and when did the applicant acquire the property?

5. Proposed use of property: describe structure(s) in detail (gross floor area, occupancy, number of employees, number of bedrooms, etc.).

6. Calculate (attach computations) the anticipated gallons per day of sewage flow to be generated in accordance with Department standards promulgated pursuant to N.J.A.C. 7:14A-23.3 (see supplement on page 7). _____

7. Does the proposed sewer line extend along an easement through more than two properties, a roadway or public right-of-way? _____
8. Has construction of the project been initiated? If so, to what extent and at what date?

PART III - WATER CONSERVATION PLUMBING

Describe and submit a narrative and/or plan for utilization of water conservation plumbing. This is required for all exemption requests. Please note that water conservation does not entitle an applicant to an exemption but is a requirement for all exempted projects.

PART IV - SPECIFIC EXEMPTION CRITERIA AND REQUIRED SUBMITTALS

Check the criteria under which the exemption is being sought and submit the required documentation listed under the section(s) which pertains to the corresponding criteria. Please note that the burden of proof is upon the applicant in all exemption requests.

- | | |
|--|------------------------------|
| <input type="checkbox"/> Less than 600 GPD | - (N.J.A.C. 7:14A-22.22(a)1) |
| <input type="checkbox"/> Replacement Flow | - (N.J.A.C. 7:14A-22.22(a)2) |
| <input type="checkbox"/> Public Need | - (N.J.A.C. 7:14A-22.22(a)3) |
| <input type="checkbox"/> Low/Mod. Income Housing | - (N.J.A.C. 7:14A-22.22(a)4) |
| <input type="checkbox"/> Health Hazard | - (N.J.A.C. 7:14A-22.22(a)5) |
| <input type="checkbox"/> Groundwater Remediation | - (N.J.A.C. 7:14A-22.22(a)6) |
| <input type="checkbox"/> Not-For-Profit | - (N.J.A.C. 7:14A-22.22(a)7) |
| <input type="checkbox"/> Financial Hardship | - (N.J.A.C. 7:14A-22.22(a)8) |

1. Less than 600 gallons/day:

- a) Documentation showing that the tax lot was in existence prior to the effective date of the ban or on a tax lot which is the result of a one-time subdivision of a single lot into two lots, subsequent to the date of the ban. If the property has been subdivided, include copies of the pertinent resolutions of the governing body.
- b) Site plan (a legible free hand sketch is acceptable) showing the property in question, the existing street sewer and the proposed lateral connection.
- c) A floor plan of the proposed project (not required for single family dwellings).

2. Replacement Flow:

- a) Projected flow of the existing building (based on either N.J.A.C. 7:14A-23.3 or water use records for the most recent 12-month period available).
- b) Site plan showing the existing/proposed sewer connection.
- c) Description of the existing building including, but not limited to, area and usage.
- d) Floor plan of the existing and proposed project (except for single family dwellings).

3. Public Need:

- a) Documentation supporting the claim that the facility is publicly owned and/or operated or that at least 10 percent of the project's operating costs are provided by a public entity.
- b) Documentation supporting that there exists a "public need" for the proposed project.
- c) Certification of Need (if applicable).
- d) Documentation addressing the fact that there are no other reasonable alternatives available including alternative sites.
- e) Site plan showing the proposed sewer connection.

4. **Low/Moderate Income Housing:** (only one of the following categories need be demonstrated)
** In addition to the information required below, a statement from an attorney or project fiscal manager summarizing the above noted documents to demonstrate that the exemption criteria is met is preferred.*

a) senior citizen housing

- i. Documentation supporting that the housing is designed to be occupied exclusively by low income senior citizens.
- ii. Documentation demonstrating that the project is owned or operated by a non-profit organization incorporated pursuant to N.J.S.A. 55:14I-1 et seq.
- iii. Documentation supporting that the project is to be built with funds provided pursuant to Section 202 of the Federal Housing Act (12 U.S.C.A. 1701q) and the monthly rents will be subsidized by funds provided pursuant to section 8 of the U.S. Housing Act of 1937 (42 U.S.C.A. 1437), or
- iv. Documentation supporting that the project is to be built with funds provided pursuant to section 515 of Title V of the Housing Act of 1949 as amended (42 U.S.C.A. 1485), and the monthly rents will be subsidized by funds provided pursuant thereto.

b) rental housing

- i. Proof that the proposed project will be located in a municipality that is or has been at one time designated as an Urban Aid Municipality as defined by the Department of Community Affairs.
- ii. Documentation showing that at least twenty percent of the housing units of the proposed project will be occupied by low income households as defined in the Fair Housing Act, N.J.S.A. 52:27D-301 et seq., N.J.A.C. 5:92-1.3 and N.J.A.C. 5:14-1.3(a).
- iii. Documentation showing that the project is receiving (or has a commitment to receive) from the Department of Community Affairs grants or loans through either the New Jersey Urban Multi-Family Production Program, P.L. 1988, c.47, or the Neighborhood Preservation Balanced Housing Program implemented by the Department of Community Affairs at N.J.A.C. 5:14.
- iv. Documentation showing that the project consists of buildings to be occupied for residential, rental purposes only and that the units will remain rental for, no less than 15 years if the project is receiving or has a commitment to receive a grant or loan through the New Jersey Urban Multi-Family Production Program, or for the amount of time set forth at N.J.A.C. 5:14 if the project is receiving or has a commitment to receive a grant or loan through the Neighborhood Preservation Balanced Housing Program.

c) publicly assisted housing

- i. Documentation supporting that the project consists of buildings to be occupied for residential purposes only.
- ii. Documentation supporting that the owner of the housing project is a public entity or a non-profit corporation or association.

- iii. Documentation supporting that the project is receiving (or has a commitment to receive) public funding pursuant to the Fair Housing Act, N.J.S.A. 52:27D-301 et seq. in accordance with all applicable rules adopted by the Council of Affordable Housing at N.J.A.C. 5:91 and 5:92, the Department of Community Affairs at N.J.A.C. 5: 14 and/or the New Jersey Housing and Mortgage Finance Agency at N.J.A.C. 5:80.
- iv. Documentation showing that the project is limited solely to households of low and moderate income as defined pursuant to the Fair Housing Act, N.J.S.A. 52:27D-301 et seq. and has been approved by the Council on Affordable Housing (COAH) as part of a "Regional Contribution Agreement".

5. Health Hazard:

- a) Letter from County/Local Health Department certifying that the subsurface disposal system is malfunctioning and creating a health hazard.
- b) Certification from a NJ Professional Engineer, Geologist or Soil Scientist who is knowledgeable of soils and subsurface disposal system design stating that the system cannot be reasonably rehabilitated and providing reasons for the same.
- c) Copies of bills for septic tank pumping and/or rehabilitation efforts (if applicable).
- d) Site plan showing the proposed sewer connection.

6. Groundwater Remediation:

- a. Documentation that the groundwater remedial action was approved by the Department's Site Remediation Program and that no other feasible discharge alternatives exist.

7. Not-For-Profit:

- a) Documentation that the project is for a not-for-profit organization that serves a fundamental public need and meets the criteria for a tax exempt charitable organization under section 501 (c) (3) of the Internal Revenue Code.
- b) Documentation that no alternative to the proposal exists.

8. Financial Hardship:

- a) Copy of local approvals (site plan, building permits, etc.) issued prior to November 3, 1986 under which site work was authorized.
- b) Certified true copies of contracts, receipts and/or invoices for all hard cost expenditures to date. Do not include any expenditure for taxes, the purchase price of land, the preparation of engineering and architectural plans, legal fees, and any other costs not expended for physical improvements.
- c) Certified estimate of the total project cost.
- d) Copies of any other governmental approvals of any kind obtained for the project including zoning variances, sewer permits and plumbing permits.
- e) Site/utility plan of the proposed project.

DESIGN FLOW SUPPLEMENT

Type of Establishment	Measurement Unit	Gallons Per Day
Residential Dwellings (single family home, duplex units, townhouses, condominiums, apartments)		
1 bedroom unit	Per Dwelling	150
2 bedroom unit	Per Dwelling	225
3 bedroom unit or larger	Per Dwelling	300
Transit dwelling units		
Hotels	Bedroom	75
Lodging houses and tourist homes	Bedroom	60
Motels and tourist cabins	Bedroom	60
Boarding houses (max. permitted occupancy)	Boarder	50
Camps		
Campground/mobile rec. vehicle/tent	Site	100
Parked mobile trailer site	Site	200
Children's camps	Bed	50
Labor camps	Bed	40
Day camps-no meals	Person	15
Restaurants (including washrooms and turnover)		
Average restaurant	Seat	35
Bar/cocktail lounges	Seat	20
Fast food restaurant	Seat	15
24 hour service restaurant	Seat	50
Curb service/drive-in restaurant	Car space	50
Clubs		
Residential	Member	75
Nonresidential	Member	35
Racquet club	Per court per hour	80
Bathhouse with shower	Person	25
Bathhouse without shower	Person	10
Institutions (includes staff)		
Hospitals	Bed	175
Other institutions	Bed	125
Schools (includes staff)		
No shower or cafeteria	Student	10
With cafeteria	Student	15
With cafeteria and showers	Student	20
With cafeteria, showers and laboratories	Student	25
Boarding	Student	75
Automobile service stations		
	Per filling position	125
Service bays	Per bay	50
Mini-market	Square Foot	0.100

	Measurement Unit	Gallons Per Day
Miscellaneous		
Office buildings (gross area)	Square Foot	0.100
Stores and shopping centers (gross area)	Square Foot	0.100
Factories/warehouses (add process wastewater)	Employee	25
with showers, (add process wastewater)	Employee	40
Laundromats	Per machine	580
Bowling alleys	Alley	200
Picnic Parks (restrooms only)	Person	10
Picnic Parks with showers	Person	15
Fairgrounds (based upon average attendance)	Person	5
Assembly halls	Seat	3
Airports (based on passenger use)	Passenger	3
Churches (worship area only)	Seat	3
Theater (indoor)	Seat	3
Dinner theater	Seat	20
Catering/Banquet Hall	Person	20
Sports stadium	Seat	3
Visitor Center	Visitor	5

* Flow for facilities that have combined uses shall be determined by the summation of all appropriate projected flow values for each use.

** If the facility use is not covered by this list, please contact the Department for assistance by calling (609) 984-6840.